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Bazaarvoice, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

United States of America,

Plaintiff,

v.

Bazaarvoice, Inc.,

Defendant.

CASE NO.: 13-cv-0133-EMC

**STIPULATION AND [PROPOSED]
ORDER REGARDING THE
EXCHANGE OF PRELIMINARY
AND FINAL WITNESS LISTS**

WHEREAS, on February 14, 2013, the Court held an initial Case Management Conference (“CMC”) at which time the parties, in an effort to focus and preserve discovery resources, agreed in principle to the exchange of preliminary witness list in advance of the close of fact discovery; and

WHEREAS, the Court requested that the parties meet and confer concerning the exchange of preliminary and final witness lists;

NOW THEREFORE, it is hereby stipulated and agreed between Plaintiff and Defendant through their respective counsel listed below, subject to the approval of the Court, that:

1 1. On or before June 10, 2013 the parties shall exchange preliminary lists of fact
2 witnesses that may be called live at trial, excluding experts (“Preliminary Witness List”);

3 2. On or before June 28, 2013 the parties may supplement their Preliminary Witness
4 Lists (“Supplemented Preliminary Witness List”) by adding no more than ten (10) fact witnesses;

5 3. The parties shall exchange final trial witness lists (“Final Trial Witness List”) on
6 August 6, 2013;

7 4. Absent good cause, witnesses that did not appear on a party’s Preliminary Witness
8 List or Supplemented Preliminary Witness List shall be precluded from testifying live at trial;
9 and

10 5. Notwithstanding the other limitations on discovery in this case, including the cutoff
11 date for fact discovery, each party shall have the right to (1) seek documents from each witness
12 (subject to the parties’ April 4 discovery protocol agreement) who appears on the opposing
13 party’s Preliminary Witness List or Supplemented Preliminary Witness List, and (2) depose each
14 witness for up to four (4) hours on the record, unless the party has previously deposed the
15 witness in this litigation.
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1 Dated: June 6, 2013

By: /s/ Peter K. Huston
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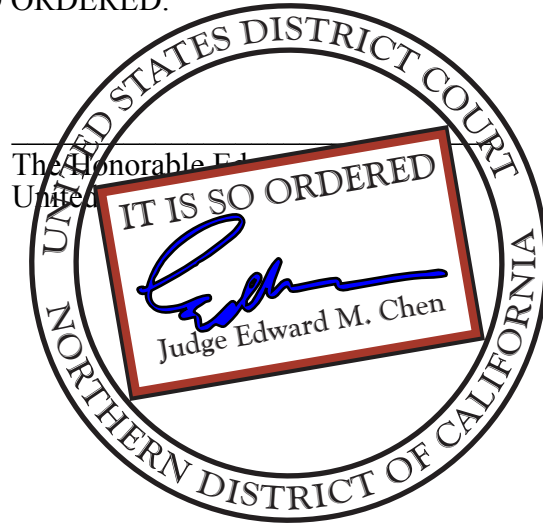
7 Dated: June 6, 2013

By: /s/ Dylan J. Liddiard
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14 ~~[PROPOSED]~~ ORDER

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16
17 Dated: 6/7/13



ATTESTATION

I, Dylan J. Liddiard, am the ECF user whose identification and password are being used to file the **STIPULATION AND [PROPOSED] ORDER REGARDING THE EXCHANGE OF PRELIMINARY AND FINAL WITNESS LISTS**. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Peter K. Huston has concurred in this filing..

Dated: June 6, 2013

By: /s/ Dylan J. Liddiard
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